

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI**

Drew Alan Crowley )  
Plaintiff, ) Case No. 20-cv-00779-DGK  
v. )  
Norfolk Southern Railway Company )  
Defendants. )

**ORDER**

It is hereby

ORDERED that the mediation is scheduled for 9:30 a.m., Central Time, on March 5, 2021 via Zoom. Each party as well as lead trial counsel shall attend the Zoom mediation. A corporate or other non-individual party shall be represented by a person with sufficient authority within the organization to participate meaningfully in a discussion of settlement and to bind the organization if a settlement agreement is reached. In addition, if an insurance company's approval or authority to settle is required by any party, a representative of that insurance company shall attend this Zoom conference.

Prior to the mediation conference proceedings, counsel shall discuss settlement with their respective clients and insurance representatives.

NO LATER than seven (7) days prior to mediation, or February 26, 2021, the parties shall email my law clerk, Jeff Merritt (Jeffrey\_Merritt@mow.uscourts.gov), a written confidential mediation statement of no more than three (3) pages setting forth the following: the relevant positions of the parties concerning factual issues, legal issues, damages, and the settlement negotiation history of the case. I may call counsel before the mediation to discuss any questions or

issues raised in the mediation statements.

During the Zoom mediation, separate confidential caucuses will be held with each party and the party's representative(s). All statements made by any attorney, party, representative *or myself* during the caucus sessions shall be kept confidential. It is further

ORDERED that should this case be settled by the parties before the scheduled mediation conference, the parties shall call my chambers at 816-512-1895 and inform me of the settlement agreement. Reaching a settlement agreement without directly notifying my chambers does not excuse any of the lawyers or parties from appearing as ordered at the mediation conference.

/s/ Cynthia A. Norton  
CYNTHIA A. NORTON  
United States Bankruptcy Judge